

Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Regulatory and Appeals Committee to be held on 29th September 2016

Y

Subject: Full planning application for the erection of 51 mixed tenure houses including associated infrastructure on land at the Former Bronte School, Keighley Road, Oakworth – planning application 15/02526/MAF

An application made under Regulation 3.

Summary statement:

The development of this parcel of Brownfield land with residential development in the manner proposed is considered an appropriate development of the site that gives the opportunity to provide a sustainable pattern of development within Oakworth located on the major road leading down to the principal town of Keighley. It is considered that the development creates a residential development which provides a suitable mix of housing and which appropriately respects the qualities of the site and character of the surrounding locality and topography. The effect of the proposal on the biodiversity of the site itself, the surrounding locality and the adjacent neighbouring residential properties has been assessed and is considered acceptable. The provision of an access to the site to Keighley Road is acceptable and will not create any adverse or severe consequent effect on highway safety and the movement of road users.

Overall, it is considered that the provision of a residential scheme as proposed along with the associated new landscaping and the proposed vehicular and pedestrian accesses within the site appropriately builds upon the opportunities of the site to provide a suitable development. As such, it is considered development in the manner proposed is in conformity with the core principles outlined within the National Planning Policy Framework (paragraphs 17, 32, 47, 49, 50, 56, 57, 58, 61, 69) and Replacement Unitary Development Plan policies UDP1, UDP3, UDP7, UR3, UR6, H7, H8, H9, TM2, TM12, TM19A, D1, D2, D4, D5, D6, CF2, OS5, NE3, NE3A, NE4, NE5, NE9, NE10, NE11, NE12, NE13 and NR16.

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Portfolio:

**Regeneration, Planning and Transport
Overview & Scrutiny Area:**

Regeneration and Economy



1. SUMMARY

The proposal relates to a full application for the construction of 51 mixed tenure houses with access from Keighley Road. Permission is recommended to be granted for the scheme subject to restrictive conditions. In addition, as this is an application being determined under Regulation 3 (Council owned land where the Council intends to construct the scheme) it should be noted that the planning permission has been granted with the following obligations:-

- that the scheme provides affordable housing units as part of the 2015-18 Approved Housing Programme of delivering affordable housing across 6 sites in the District that has received HCA (Housing and Communities Agency funding). Note: within the programme there will be 139 houses for rent across the programme and 49 for sale with the sales properties at full market value and at a cross subsidy to the whole programme;
- payment of a contribution of £10,000 to mitigate impacts on sensitive habitats by bring forward the improvements on routes leading to and at the Special Protection Areas. On these routes, erosion of adjacent habitat caused by widening footpaths is an issue and this can be addressed through a suitable contribution.

It should be noted that if the application was not one which was being determined under Regulation 3, the above mentioned obligations would have to be delivered via a formal S106 legal obligation.

Overall, it is considered that the provision of a residential scheme on the site with the proposed vehicular access takes into account the constraints of the site.

2. BACKGROUND

There is no recent history for the development of this site. The former school was demolished in 2007/8. Part of the site is unallocated Brownfield land whilst the remainder is allocated as playing fields (in the Keighley Constituency Volume of the Replacement Unitary Development Plan).

On the adjoining land to the east of this parcel of land (on land which was also part of the Bronte School site) planning application 16/06766/MAF has been submitted for the extra care and residential care scheme comprising the following development:-

(i) Extra Care : 36 two bed 3 person apartments and 33 one bed 2 person apartments and communal area comprising of ; lounge, activity room, restaurant, offices, hair salon, buggy store, therapy room, laundry and staff facilities.

(ii) Care Home: 50 bedrooms in household of 10 with separate lounge and dining areas. Communal area comprising of: gym, lounge, offices and staff facilities,

and is currently under consideration.

The technical report attached as appendix 1 explains the current situation with regard to housing proposals in the District.

3. OTHER CONSIDERATIONS

None

4. OPTIONS

Members can decide to:

- Approve this full application subject to conditions and obligations on the applicants (the Council); or
- Approve the application with different conditions and or different obligations on the Council; or
- Refuse the application giving reasons as to why it is unacceptable; or
- Defer the application for further consideration

5. FINANCIAL & RESOURCE APPRAISAL

There are no financial implications for the Council arising from matters associated with the report.

6. RISK MANAGEMENT & GOVERNANCE ISSUES

No implications

7. LEGAL APPRAISAL

The determination of the application is within the Councils powers as the Local Planning Authority

8. OTHER IMPLICATIONS

8.1 EQUALITY & DIVERSITY

Section 149 of the Equality Act 2010 states that the Council must, in the exercise of its functions “have due regard to the need to eliminate conduct that this prohibit by the Act, advancing equality of opportunity between people who share a protected characteristics and people who do not share it, and fostering good relations between people who share a protected characteristic and people who do not share it. For this purpose section 149 defines “relevant protected characteristics” as including a range of characteristics including disability, race and religion. In this particular case due regard has been paid to the section 149 duty but it is not considered there are any issues in this regard relevant to this application.

8.2 SUSTAINABILITY IMPLICATIONS

It is considered that the proposed development meets the sustainability criteria outlined in established national and local policy. Good design ensures attractive usable, durable and adaptable places and is also key element in achieving sustainable development. The scheme provides an attractive layout which utilises the relatively steep topography of the site. Sustainable methods of drainage from the site are also provided as part of the proposal along with a travel plan promoting sustainable modes of travel.

8.3 GREENHOUSE GAS EMISSIONS IMPACTS

No issues raised other than those identified in the appended technical report. EV charging points are to be provided at each property (planning condition). The travel plan proposals also seek to ensure that more sustainable means of travel are promoted by the developer of the site.

8.4 COMMUNITY SAFETY IMPLICATIONS

Boundary treatments are considered within the application details and are suitable solutions which add to the design elements of the layout.

8.5 HUMAN RIGHTS ACT

Articles 6 and 8 and Article 1 of the first protocol all apply (European Convention on Human Rights). Article 6 – the right to a fair and public hearing. The Council must ensure that it has taken its account the views of all those who have an interest in, or whom may be affected by the proposal.

8.6 TRADE UNION

No implications

8.7 WARD IMPLICATIONS

The scheme provides a mixed tenure housing scheme on part Brownfield land which is considered acceptable in principle for housing development subject to detailed policy requirements of the Replacement Unitary Development Plan.

9. NOT FOR PUBLICATION DOCUMENTS

None.

10. RECOMMENDATIONS

That planning permission is granted subject to the conditions and appropriate obligations set out in the report attached as appendix 1. Under Regulation 3 the Council cannot enter into a Section 106 legal agreement with itself (as the developer of a site). As such it is considered that any planning permission should be granted subject to the following details (which would form part of the decision notice):

- that the scheme provides affordable housing units as part of the 2015-18 Approved Housing Programme of delivering affordable housing across 6 sites in the District that has received HCA (Housing and Communities Agency funding. Note: within the programme there will be 139 houses for rent across the programme and 49 for sale with the sales properties at full market value and at a cross subsidy to the whole programme;
- payment of a contribution of £10,000 to mitigate impacts on sensitive habitats by bring forward the improvements on routes leading to and at the Special Protection Areas. On these routes, erosion of adjacent habitat caused by widening footpaths is an issue and this can be addressed through a suitable contribution.

11. APPENDICES

Appendix 1 – Report of the Assistant Director (Planning, Transportation and Highways).

12. BACKGROUND DOCUMENTS

National Planning Policy Framework

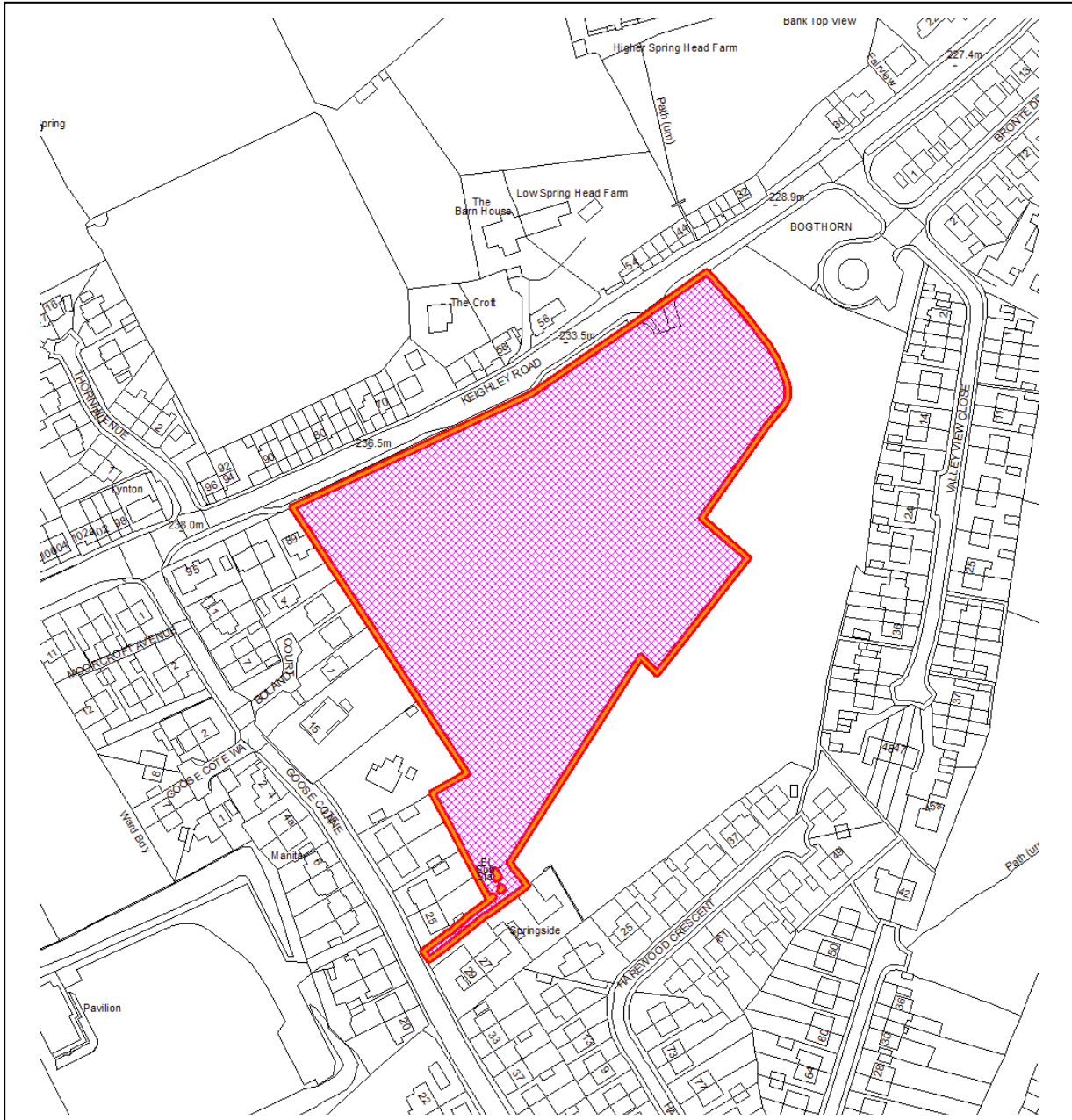
The Replacement Unitary Development Plan

Publication Draft Core Strategy (draft subject to an examination in public in March 2015) and subject to modification which was examined by the Inspector in May 2016

Regulatory & Appeals Committee

16/02526/MAF

29 September 2016



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**LOCATION:
Land At Bronte School
Oakworth**

Appendix 1

29th September 2016

Ward: Keighley West

Recommendation:

To grant planning permission subject to conditions and obligations

Application Number:

16/02526/MAF

Type of Application/Proposal and Address:

A full application for the proposed development of 51 No mixed tenure houses including associated infrastructure

Applicant:

City of Metropolitan District Council – Julie Rhodes

Agent:

City of Metropolitan District Council

Site Description:

A 2.87 hectare part Greenfield/part Brownfield site located at the north east edge of Oakworth with an extensive frontage to Keighley Road (B614). At present the site is vacant but was formerly used as a middle school prior to the demolition of the school in 2007/8. The land is enclosed by a dry stone wall with trees along its northern boundary whilst the remaining boundaries are open to the surrounding land which was formerly used as playing fields. The site on a gradient sloping downwards from north to south towards the former playing fields.

The site is bounded to the north by Keighley Road beyond which lies traditional terraces of cottages, to the west lies residential properties in Goose Cote lane, to the south and east by the former playing fields and residential properties in Harwood Crescent and Valley View close. The surrounding area is mixed in character with residential properties. Significant preserved trees are evident on the boundaries of the site all of which have preservation orders on them.

There are 3 existing accesses to the site. The principal existing highway access to the site is via Keighley Road which was used as the in and out to the former Bronte School. The access off Valley View Road was for school buses and parent drop off and the final access is a single road width off Goose Cote lane which services the electricity substation.

Relevant Site History:

07/05042/FUL- Proposal: Demolition of former Bronte School and redevelopment of the site for 96 dwellings- withdrawn from determination January 2009

15/02294/TPO- Proposal: T1, T3, T5, T7 and T10 Sorbus - Fell T2, T6, T8, T9 and T11 Sycamore - Fell T4 Rowan - Fell T12-T14 – Fell - granted 05/08/15.

On the adjoining land to the east of this parcel of land (on land which was also part of the Bronte School site) planning application 16/06766/MAF has been submitted for the extra care and residential care scheme comprising the following development:-

(i) Extra Care : 36 two bed 3 person apartments and 33 one bed 2 person apartments

and communal area comprising of ; lounge, activity room, restaurant, offices, hair salon, buggy store, therapy room, laundry and staff facilities.

(ii)Care Home: 50 bedrooms in household of 10 with separate lounge and dining areas. Communal area comprising of: gym, lounge, offices and staff facilities,

and is currently under consideration.

Replacement Unitary Development Plan (RUDP):

Allocation

Within the Proposals for the Keighley Constituency of the Replacement Unitary Development Plan the site is identified as being part unallocated and part playing fields.

The following policies are relevant:-

Proposals and Policies

UDP1 – Promoting sustainable patterns of development

UDP2 – Restraining development

UDP3 – Quality of built and natural environment

UDP7 – Reducing the need to travel

UR2 – Promoting sustainable development

UR3 – The local impact of development

UR6 - Planning Obligations and conditions

H7 – Housing Density – Expectation

H8 – Housing Density – Efficient Use of Land

H9 – Affordable Housing

TM1 - Transport Assessment

TM2 – Impact of traffic and its mitigation

TM12 – Parking standards for residential developments

TM19A – Traffic management and road safety

D1 – General design considerations

D2 – Energy Efficiency and Sustainable Design

D4 – Community safety

D5 - Landscaping

D6 - Meeting the needs of pedestrians

OS5 – Provision of recreation open space and playing fields in new development

NE3 – Landscape Character Areas

NE3A – Landscape Character Areas

NE4- Trees and Woodlands

NE5 - Retention of Trees on Development Sites

NE6 - Protection of Trees during development

NE10 - Protection of Natural features and Species

NE11 - Ecological Appraisals

NR16 - Surface Water Run Off and sustainable Drainage Systems

BMDC – Supplementary Planning Guidance

Landscape character

Planning Obligations

Planning for Crime Prevention

The Examination Draft of the Core Strategy (Independent hearing of the Core strategy closed on 19th March 2015)

The Local Plan Core Strategy seeks to ensure that sustainable economic growth takes place throughout the District. Whilst the core strategy is not yet adopted, modifications have been consulted upon (examined in May 2016) and the Inspectors Report has now been issued (although the Core Strategy has not been adopted by the Council to date) and it is appropriate to add some weight to various policies of the Plan. To this end with regard to this application the Core Strategy identifies Oakworth and Keighley as areas for housing growth.

The National Planning Policy Framework (NPPF):

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Town Council: No comments.

Publicity and Number of Representations:

Site notices were displayed at the site, advertisements were placed in the local paper and individual neighbourhood notifications were also carried out with the statutory period of expiry date for comments on the revised application red line details being 8th September 2016. 38 letters of representation have been made: 35 objections, 2 letters of comment and 1 letter of support.

All comments summarised below are written in no particular order of importance. Any additional representations which may be received after the publication of this report will be reported orally at the planning panel.

Summary of Representations Received:

- There are good reasons why the development should not take place and not many reasons in favour of the scheme other than making revenue for the Council.
- Infrastructure - additional traffic and disruption on Oakworth Road.
- Schools in the area will not have the places for additional children
- Drainage – the area is known for its springs and existing properties already flood
- There is wildlife on the site providing bat boxes will not help other creatures
- Using all of this land for housing is a waste. Phase 2 on the plans should be used to provide a recreational area of any children to plan
- Too many brownfield sites which enhance residential areas are being used in

this way – once you have taken it away it never comes back.

- Doctors are full
- The road is already unsafe
- The way this planning application has been carried out has been devious and misleading. First there were the odd notice, and then a few neighbours were notified, the site at first was just the footprint of the former school.
- No need for any more houses in the locality whether affordable housing or not as there aren't enough facilities in Oakworth to facilitate the residents of Oakworth now.
- The site lends itself to infrastructure improvements such as a school and doctors surgery
- As this is the Council who are the applicants we can only presume that on past performances all requests for reason will again be ignored and we will end up with more problems than solutions.
- All trees on the Bronte site have a preservation order on them and it would be an act of ecological vandalism to remove them. For decades they have been absorbing greenhouses gases
- Planting saplings to replace them is not an alternative. What's the point of TPOs if Councils can easily over turn them
- These trees are beautiful and enhance the area.
- Have recently moved to Oakworth and cannot get our daughter into the already oversubscribed school.
- Gardens and garages already get flooded – with more houses getting built on a bog what happens then
- Difficult to see the saleability of small houses on a flood prone site with no facilities.
- At the moment the area is used for recreation and down walking and is a lovely piece of land that will be point by housing.
- A shame the council can't spend some money and use it to provide something that would benefit the local community.
- Local dentists are over scribed
- The drainage in the area is already at maximum- this was pointed out on the previous planning application and Yorkshire Water agreed the current infrastructure would not be able to withstand an increase in houses
- Local drainage is very poor and would only increase the local flooding on both Harewood Crescent and Valley View Close
- Impact on social behaviour – there is only one park for the children to play in.
- Local amenities are very limited.
- The application is misleading as it refers to 51 houses but this is only phase 1 – in reality the number is far closer to 100 houses.
- The highway report is at time comical using cycles and distances to other schools yet not taking into consideration the gradients in the area or access. No local residents travel to work or school on bicycles.
- The application is not about local needs but Bradford Council making housing targets given to them at any cost regardless of current residents needs.
- Oakworth has had its fair share of house building over the last 10 years. We now have no green fields along Oakworth Road. Keighley and Oakworth are running into each other.
- There is no need for this kind of mixed tenure housing in this area
- Detest that the village of Oakworth has been turned into a town.

- Traffic is already a problem in Oakworth and parking at school starting and closing time is already at a dangerous level.
- Sadly this is a proposal based on Bradford Council profiteering and making money from the land but the land is unsuitable for building so many homes on.
- In general welcome the development as the current open site is clearly in need of something.
- Support the mixed nature of the overall proposals however there are some significant opportunities or drawback in the current scheme
- More provision should be made for walking and cycling.
- Where is the play area
- What about incorporating solar powered technology.

Consultations:

Highways Development Control Section – a Transport Assessment (TA) and Travel Plan have been submitted with the application. The TA is accepted in terms of its traffic generation and impact on the highway network.

It is proposed to provide the vehicular access for the phase 1 development from the existing site access location on Keighley Road, The existing access would be amended to meet current residential standards i.e. a traditional estate road comprising of a 5.5m carriageway with 2.0 footways on both sides. The site access visibility onto Keighley Road would be based on recorded vehicle speeds – and the TA indicates that visibility splays of at least 2.4m x 49m are achievable in both directions. These splays are acceptable.

A separate pedestrian and cyclist link only is proposed at the existing site access onto Goose Cote Lane.

Sport England - advise that part of the site which is allocated as playing fields it is considered broadly meet exception E1 of the Sport England planning policy which states “An assessment has demonstrated that there is an excess of playing field in the catchment and the site has no special significant for sport”; as such Sport England does not wish to raise an objection to the planning application

West Yorkshire Combined Authority – there is a regular bus service running next to the development servicing Keighley, Oakworth, Stanbury, Haworth. There are also more services nearby.

Future residents would benefit if one of the new live bus information displays were to be erected at bus stop 21859 at a cost of approximately £10,000.

Good pedestrian access to/from the site to/from bus stops should be provided taking into consideration the needs of the elderly and mobility impaired. Recommend that the development contribute towards sustainable travel incentives such as discounted Metro Cards.

Lead Local Flood Authority –The Lead Local Flood Authority (LLFA) has assessed the documentation relating to the surface water disposal on the proposed development, against the requirements of the National Planning Policy Framework and Planning Practice Guidance. An assessment of the submitted documentation has been carried out, including the Flood Risk Assessment and Proposed Site Plan referenced AR

00165(00)01 and if the following details are implemented and secured by way of a planning condition on any planning permission the Lead Local Flood Authority have no objection the proposed development.

Suggested conditions:

a). The development shall not commence until full details and calculations of the proposed means of disposal of surface water drainage, based on sustainable drainage principles, have been submitted to and approved by the local planning authority.

b) The surface water drainage infrastructure serving the development shall be managed in strict accordance to the terms and agreements, over the lifetime of the development, as set out in a Surface Water Drainage Maintenance and Management document to be submitted to the Lead Local Flood Authority for approval.

c) No development shall take place until the site is investigated for its potential for the use of sustainable drainage techniques in disposing of surface water from the development. Consideration should be given to discharge surface water to soak away, infiltration system and watercourse in that priority order. Only in the event of such techniques proving impracticable will disposal of surface water to an alternative outlet be considered. In the event of infiltration drainage techniques proving unviable the maximum pass forward flow of surface water from the development shall be agreed with the LLFA.

Drainage Section – The Lead Local Flood Authority is a statutory consultee on matters relating to surface water management on all major developments. The Drainage Department will therefore cease from providing comments on the surface water drainage proposals on major planning applications and only provide comments on flood risk and foul drainage matters.

The Drainage Department has suggested a condition regarding foul water drainage to be attached to any permission granted (Note: attached to the rear of this agenda as condition 11).

Yorkshire Water – No objections.

Policy Architectural Liaison Officer – No objections in principle subject to several aspects of the proposal:

Permeability – making sure that the layout does not cause antisocial behaviour; perimeter treatments being provided, reduction in the number of parking bays, low planting around the public open space. Provision of front bin storage to various plots

Landscaping - It is noted that the topography of the site places particular constraints upon the way in which this development can be laid out, and using the existing alignment of the school drive to form the main access road into the development does seem to offer the best way of keeping the gradient of the access road acceptable while also avoiding the need to take out trees adjacent to Keighley Road.

A consequence of retaining the trees and wall adjacent to Keighley Road is that rear elevations will face the main road (Keighley Road) and rear gardens will slope up to end at the existing boundary wall. This makes the development inward facing. There will not be much privacy in the rear gardens that back onto Keighley Road, with

overlooking of the gardens from the pavement. Raising the height of the wall or introducing higher level screening would enhance the severance between the site and Keighley Road. However, it is noted that further down Keighley Road there are existing houses backing onto the boundary wall in a similar way, also having rear gardens that are overlooked from the pavement.

There is an attenuation pond to be constructed as part of Phase 1 but linked to swales that seem to be part of the later Phase 2. Since it is referred to as a pond rather than a dry basin, it is assumed that it will always contain some water. As such, the pond should form a focal point feature within the development. Instead, it is tucked into one of the courtyard areas, where it will feel like it belongs to that particular courtyard. The impression given by this design is that primarily the layout has been determined by placement of the access roads, and placement of the houses has left the space within which the pond has been squeezed.

While there are no existing rights of way through the site, there are benefits to having a pedestrian link into the heart of the development from Goose Cote Lane. However, this pedestrian link seems to be incomplete. It takes people alongside the swale to the pond and then stops within that courtyard area. In my opinion it should continue alongside the swale, since that is where people will want to walk. It is suggested that it needs to connect through into Phase 2 so that it provides a well-considered and meaningful pedestrian route through the development. It might also ultimately link all three phases of the development. As with the pond, the pedestrian link should have more dominance in the scheme rather than taking very much second place to the vehicular roads.

There is at present no landscape plan that covers soft planting, and little detail regarding boundary treatments

Tree Section - Original comments: The contents of the tree survey are noted. It provides a statement on why the RPAs deviate from the requirements of BS5837. The RPAs are incorrectly shown as circles rather than the likely root habit given the existing topographical features.

No evidence is currently provided corroborating the opinion that tree roots are growing under the retaining wall and under the carriageway in any significance to justify the RPAs as circles. However, auger samples within the grass verge to Keighley Road could be taken, and photographic proof provided, to determine the presence or absence of tree roots. There are limitations to this approach but it may nevertheless provide some evidence one way or the other. In the absence of any evidence to the contrary the RPAs should form the shape of the likely rooting habit in accordance with BS5837 and therefore be offset within the site.

Despite being fragmented the tree belt to Keighley Road makes an important contribution to amenity. The housing to this boundary does not relate satisfactorily to trees and a number of plots would have little useable private amenity space and the trees dominating above which will place pressure to remove and fragment further the tree belt. Other trees, despite being TPOs make less of a contribution to amenity and some tree retention is misplaced in my opinion.

There is an extant tree planting condition to plant 14 trees to the south boundary see 15/02294/TPO. It is unclear whether the application has considered this or not. In any event this planting would have to be fulfilled.

No tree protection plan is submitted or arborcultural impact assessment. These would be expected as a minimum considering the level changes proposed close to retained trees. Given the above, proposed engineering and lack of tree protection plan I would support a new layout that includes tree removal to the west and south boundary provided that the trees to Keighley Road are given adequate space (for existing RPAs and future growth) and tree planting reinforces the north belt. Presently I cannot support the current layout.

Revised Plans: Formal comments are awaited on the revised plans and will be reported orally.

Natural England - The Authority should consider that Habitats Regulation Assessment (HRA) of the Draft Core Strategy which identifies the potential for adverse effects with respect to new housing allocation in proximity to the South Pennine moors SPA and SAC, particularly in relation to urban edge effects (fly-tipping, invasive species, cat predation and increased risk of fire), loss of feeding areas used by SPA birds and recreation disturbance /trampling. Proposed mitigation has been identified by your authority and further survey work has been undertaken to ensure the Core Strategy directs development away from areas used by SPA birds and incorporates avoidance/mitigation measures to reduce urban edge effects and recreational disturbance/trampling.

The proposed development is within an area that NE considers could benefit from enhanced green infrastructure, biodiversity enhancement and landscape enchantments.

Biodiversity/Countryside – Formal comments awaited and will be reported orally if any are received.

Environmental Health (Air Quality) – Have reviewed the content of this application and concluded that it constitutes a medium application for the purpose of Appendix 2 (Land use planning and road transport emission guidance) of the Bradford Low Emission Strategy (adopted November 2013), addendum to the Bradford Air Quality Action Plan (March 2013).

Under the provisions of the Bradford LES planning guidance all medium developments are required to:

- Provide Type 1 emission mitigation in the form of electric vehicles charging points at the rates set out in the Bradford LES planning guidance (1 charging point per house with dedicated parking and 1 point per every 10 houses with undedicated parking).
- Adhere to the London Best Practice Guidance on the Control of Dust and Emissions from Construction and Demolition
- Provide a comprehensive low emission travel plan (which includes measures to discourage the use of high emission vehicles and encourage the use of low emission vehicles)

If the Local Planning Authority is minded to approve planning permission it is recommended that as a minimum the following planning conditions are included on the planning decision notice: EV charging points, Construction Environmental Management Plan and travel plan.

Environmental Health (Contamination) – considered the application and the supplied Phase 1 and 2 reports.

A remediation strategy will be required which details the ground gas protection which will be installed across the site dependent on the findings of the updated risk assessment. It must also detail the activities to be undertaken should unexpected contamination be identified and remedial actions take place. A remediation verification report will subsequently be required to confirm that remediation activities have been carried out as per the remediation strategy.

Environmental Health, therefore, recommends the following conditions on any permission granted – gas monitoring implementation, remediation strategy, remediation verification, unexpected contamination and materials importation.

Minerals and Waste – no objections raised in principle as the proposal is not in a minerals safeguarding area. A former landfill site is situated 180m from the proposals which is considered to be a sufficient enough distance from the proposals not to cause any stability or contamination issues. The phase 2 investigation report is noted.

If the proposal is to crush and screen hard standings that exist on site this is considered a sustainable option. Appropriate conditions would need attaching to any permission to ensure that any adverse impacts are kept to a minimum.

Yorkshire Electricity – No comments given

National Grid – No comments given.

Local Plans Section – No comments given.

Enabling Housing (affordable housing section) – The affordable housing requirement is that 20% of the number of units on the site.

Education/Children's service – We have assessed the situation in this area and can advise that we would need to request a contribution towards primary educational provision as all schools serving this area are now full. The calculation for 51 houses is as follows:

Primary

Houses: 0.02 (yield per year group) \times 7 (year groups) \times 41 (number of dwellings) \times $\pounds 13345$ (cost per place) = $\pounds 95,283$

There is sufficient capacity therefore no request for section 106 funding to expand secondary educational provision.

Total section 106 request for education purposes: $\pounds 95,283$

Recreation/leisure services - require a contribution of $\pounds 105,054$ for the provision of Recreation Open Space and Playing Fields due to the extra demands placed on the locality by this development. The money would be used towards the provision and enlargement of existing recreational facilities and infrastructure work including but not exclusive to drainage works, footpath works and fencing at Bronte playing fields and Holden Park, Oakworth.

Summary of Main Issues:

Principle of development
Sustainability
Density
Design/landscaping
Highway Safety
Flooding/drainage matters
Impacts on the amenities of the nearby properties
Other impacts: - biodiversity, contamination, air quality
Use of planning conditions/S106 legal agreements
Comments on representations made
Community Safety

Appraisal:

1. Permission is sought for the construction of 51 mixed tenure dwellings and associated infrastructure on this site. Demographical studies have identified that the Bradford District is experiencing increased demand for affordable houses. In response to this CBMDC housing service are developing housing for rent and affordable housing projects across the District and this site is proposed to have a mixture of 2, 3 and 4 bedroomed houses for rent and sale:

14 x 2 bedroomed houses
31 x 3 bedroomed houses
6 x 4 bedroomed houses.

2. The proposed layout and scale seeks to follow the grain and scale of the character of the existing locality by the creation of short terraces and semi-detached houses with in curtilage parking. Materials are proposed from reconstituted stone with render with features of stone heads, cills and jambs. The two bed terraced houses are proposed to have a combination of random stone rubble and render in contrast to the coursed stone on the larger proposed dwellings. The fenestration patterns has been designed to maximise the daylight and take advantage of natural heat gains.

3. Access to the proposed houses is via Keighley Road, using the former access to the school. This access has been designed to even out the steep gradients across the site and to take account of the topography of the site which slopes steeply down from north to the south.

Principle

4. This is a primarily Brownfield site with a Greenfield element in the shape of part of the former playing fields. The National Planning Policy Framework (NPPF) underlines and increases the importance of delivering housing development (including affordable housing provision) in support of the district's growing population. A core planning principle in the NPPF states that planning should proactively drive and support sustainable economic development to the deliver homes, business and industrial units, infrastructure and thriving local places that the country needs (page 5, paragraph 17). The NPPF states that every effort should be made objectively to identify and meet the housing needs of an area and respond positively to wider opportunities for growth.

5. Local Planning Authorities (LPAs) are responsible for setting their own housing requirement. This must be based on robust evidence including household and population projections, which take into account migration and demographic change. In

assessing the housing needs in their area over the plan period, the NPPF states LPAs should identify the scale and mix of housing that meets household and population projections, taking account of migration and demographic change (pages 12-13, section 6).

6. In terms of delivering a wide choice of high quality homes the NPPF states at page 12, paragraph 47 that LPAs should boost significantly the supply of new housing. In order to achieve this goal the NPPF requires LPAs to identify a 5 year supply of deliverable housing sites judged against their housing requirement. Moreover the NPPF goes on to state that where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer i.e. over and above the basic 5 year requirement by 20% to provide a realistic prospect of achieving the planned housing supply. It is clear that Bradford has experienced just such a sizeable and persistent under delivery of housing in recent years. Bradford is therefore be required to identify the additional 20% of deliverable land in order to meet the requirements of NPPF paragraph 47. It is also clear that unless sites such as this one are successfully implemented and brought to the market this under supply will not only remain unmet but will also grow significantly worse. This in turn will have severe impacts on the prospects for regeneration in the district and will exacerbate existing and growing problems of overcrowding and long waiting lists for social housing which already exist in parts of the district.

7. The most up to date situation with regard to housing supply is that the LPA gave evidence at the recent Bradford Local Plan core Strategy Examination in Public (CS EIP) held between of the 4th and 20th March 2015. Following this examination major modifications were made to the draft Local Plan which was then reopened for examination in May 2016. The Inspectors report into the soundness of the Submission Draft Core Strategy has just been received but has not yet been to Members of the Council to consider. The most up to date housing land supply assessment produced by the LPA is that the District has a 2.33 years supply of deliverable housing sites. This represents a considerable under-supply and is less than 50% of the total required. The strategic case for permitting housing development at this site therefore has been strengthened as a result of the application of the policies of the NPPF.

8. Further the Framework advises that relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites. Paragraph 14 indicates that were policies are out of date the proposal must be considered in the context of the presumption in favour of sustainable development and permission granted unless tests derived from specific policies in the Framework (or material considerations) indicate otherwise or any adverse impact of granted in permission would significantly and demonstrably outweigh the benefits of the scheme when assessed against the Framework taken as a whole.

9. The appropriateness of the Keighley/Oakworth as a location for further housing development is reinforced by the emerging Core Strategy where it is intended to be a local focus for housing and other development. As such, it is considered that the location and scale of the housing proposed on this formerly allocated housing land would be consistent with policies promoting a sustainable pattern of development in the Bradford District. Furthermore, the proposed application site is well-located in relation to the built-up areas and their form in the locality and is in close proximity Keighley Road which has a 10 minute bus route down into Keighley Town Centre. Local facilities exist in Oakworth village centre also; as such, it can be concluded that a

housing proposal (in this location) represents a sustainable form of development and that it would thereby comply with policy UDP1 of the RUDP.

10. Overall, the proposed residential use of the site is acceptable in principle. The Ministerial statement *Planning for Growth* makes it clear that the economic benefits of proposals should be taken into account, and encourages support for sustainable forms of development, including housing. The importance of sustainable economic growth is reiterated in the Framework: one of the core principles of the Framework is that planning should proactively drive and support economic development to deliver, amongst other results, the homes which the country needs. The proposed housing at this site would represent a sustainable form of development. Its economic benefits, including job creation, the new homes bonus, and expenditure in the local economy, carry significant weight.

Sustainability

11. The National Planning Policy Framework advises that the purpose of the planning system is to contribute to sustainable development. For the planning system delivering sustainable development means:

- Planning for prosperity (an economic role) – by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- Planning for places (an environmental role) – by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

12. The approach to planning for sustainable development is set out the National Planning Policy Framework. The key principles of this document are that are that good quality, carefully sited accessible development within existing towns and villages should be allowed where it benefits the local economy and/or community; maintains or enhances the local environment; and does not conflict with other planning policies. Accessibility should be a key consideration in all development decisions. Most developments that are likely to generate large numbers of trips should be located in or next to towns or other service centres that are accessible by public transport, walking or cycling. New building development in the open countryside away from existing settlements, or outside areas allocated for development in development plans, should be strictly controlled; the overall aim is to protect the countryside for the sake of its character and beauty and the diversity of its landscapes.

13. It is considered that the proposed development meets the sustainability criteria outlined in established national and local policy. Indeed, it is considered that the site is well located in relation to built-up areas, that there is a reasonable level of accessibility by non-car modes of transport - especially as this site is adjacent to the 10 minute bus route down into Keighley, a Principal Town of the District; and, that the proposal represents a sustainable form of development which would comply with Policy UDP1 of the RUDP.

14. Good design ensures attractive usable, durable and adaptable places and is a key element in achieving sustainable development. The layout provided is considered an

appropriate design for the site as it utilises the sloping topography of the site whilst still providing development in proximity to the Keighley Road frontage which allows interest in the streetscape along this existing route.

Density/Efficient use of land

15. Policies H7 and H8 of the RUDP seek to ensure that the best and most efficient use is made of any development site. As such there is a requirement to achieve a minimum density of 30 dwelling per hectare on sites. The National Planning Policy Framework also advises that Local Planning Authorities shall have regard to:

- Achieving high quality housing
- Ensuing development achieve a good mix of housing
- Setting out their own approach to housing density to reflect local circumstances.

16. The approximate net site area is 1.87 hectares. The provision of 51 dwellings on the site would create a density of 27 dwellings per hectare which whilst lower than the policy requirement of 30 dwellings per hectare is considered acceptable on this steeply sloping site (which is also constrained by preserved trees).

Affordable housing/Housing Mix

17. This is a site which is proposed to accommodate 51 houses; therefore the mix of housing on the site should achieve a mix of households as well as a mix of tenure and price. It is recognised and supported that the applicant (BMDC housing) has advised that this scheme provides affordable housing units as part of the 2015-18 Approved Housing Programme of delivering affordable housing across 6 sites in the District that has received HCA (Housing and Communities Agency funding. It should be noted that within the programme there will be 139 houses for rent across the programme and 49 for sale with the sales properties at full market value and at a cross subsidy to the whole programme. This provision – across several sites - is in line with the most recent evidence put forward in the Publication draft of the Core strategy and will help ensure that the Councils essential affordable housing programme to provide a mix of tenure and range of prices will not just be provided on this site but will help facilitate the proposed range of affordable housing schemes across the District.

Design principles/landscape impacts

18. The National Planning Policy Framework sets out the national policy objectives for housing. A key objective is '*to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed*'. In order to facilitate this, local authorities should draw on relevant guidance and standards. At the local level there are design policies in the Replacement Unitary Development Plan (RUDP). Of particular relevance are:-

- Policy D1 which states that new development should relate to the existing character of the locality,
- Policy D5 which states that existing landscape features should be incorporated as an integral part of the proposal, and

19. The design approach (as set out in the Design & Access Statement), is based on a number of positive aspects such as providing an appropriate access road through the site, the provision of sustainable drainage, the retention of many existing trees (although it should be noted that it is prosed to remove some preserved trees), linking the site to Goose Cote Lane for pedestrians to walk through and orientation of the houses to maximise natural light and free heat gain. Driveways will be in permeable

tarmac with paving slabs. The proposed materials reflect the varied character of the existing locality.

20. In conclusion, the application is supported in design terms. It is considered that the proposal is an appropriate design in terms of layout and scale and will not impact unduly on the existing street scene. The proposal complies with policies D1 and D5 of the Replacement Unitary Development Plan and the design guidance brought forward in the National Planning Policy Framework and Guidance.

Highway matters

21. A Transport Assessment (TA) and Travel Plan have been submitted as part of the application. Highway engineers agree that the proposed development of 51 dwellings on this site can be accommodated on the surrounding highway network without raising any undue highway safety concerns assuming that the highway improvements suggested as part of this development are delivered (viability splays onto Keighley Road). As such, the means of access to the site from Keighley Road is considered to be satisfactory and will not compromise highway or pedestrian safety.

22. The consultation comments from the highways section have been fully enclosed earlier within this consultation section of this report. Details of the proposed conditions have been attached to the end of this report. Essentially, there is no highway objection in principle to this proposed development. Overall, it is considered that the provision of highway access in the manner proposed is satisfactory and will not comprise highway safety but will accord with established highway standards and policies TM2 and TM19A of the RUDP.

23. The Travel Plan promotes the integration of travel modes to improve the accessibility of the site by means other than the single person occupied car, to ensure that the travel plan framework meets the needs of the residents and employees, to make people aware of the benefits to be derived from the travel plan, to minimise the level of vehicular traffic generated by the development and to enable the development to protect and enhance the environment as far as practically possible. It is considered that the provision of a travel plan will ensure that the development of this site in the manner proposed encourages, as far as practically possible, sustainable practices in this location in accordance with the National Planning Policy Framework. A condition regarding the implementation of a travel plan for this development which incorporates matters raised by the Councils Air Quality section is suggested on any permission granted.

Flooding/drainage

24. The Lead Local Flood Authority and Yorkshire Water have both made consultation comments on the application scheme. In a nutshell each of the above advise that planning permission can be granted for the scheme subject to conditions being attached to any permission granted. These conditions are set out at the end of this report at numbers 8, 9, 10 and 11.

Effects on the surrounding locality

25. The development is proposed on primarily Brownfield land within an urban area which is surrounded by varying style of residential development. In principle, development of the site for the housing as proposed is acceptable. Further, it is considered there is no undue adverse impact which would arise out of the grant of planning permission on this site in the manner proposed. Suitable drainage solutions

can be achieved for the site and the highway impacts are considered acceptable with regard to both vehicular traffic and pedestrian users. The specific design of the buildings including the use of building materials and landscape treatments are acceptable in principle subject to details which are proposed to be covered by conditions attached to the rear of this agenda.

Effects on the adjoining residential properties

26. Residential properties immediately about the site and are evident along Keighley Road. It is considered that no undue loss of amenities would be created on any of the surrounding residential properties. The design and layout of the proposed dwellings takes into account the surrounding development and retains appropriate spatial distances between those existing properties and the proposed new proposed. As such, it is considered that the proposal complies with policy UR3 of the Replacement Unitary Development Plan.

Other Impacts - Biodiversity

27. Whilst Policy NE10 of the RUDP states that wildlife habitats accommodating protected species will be protected by the use of Planning conditions/obligations it is clear from the supporting text and Policy NE11 that an ecological appraisal should be submitted with a planning application so that the Local Planning Authority can 'assess the potential impact of the proposed development prior to the consideration of granting planning permission.'

28. Habitat Regulations Assessment (HRA) - It should further be noted that as the site is 3.6km from the nearest edge of the South Pennine Moors Special Protection Area/Special Area of Conservation (SPA/SAC) and therefore falls in a zone of impact identified in the Habitat Regulations Assessment of the emerging Core Strategy for the Bradford District. Article 6(3) and (4) of the habitats and Birds Directives require that plans and projects are subject to appropriate assessment, alone or in combination where there is a potential to have an impact on a European Site.

29. It is considered that as previously developed land, the site doesn't constitute 'supporting habitat'. However, as there may be an increased recreational impact on the European Site developer contributions towards mitigation will be required (specific details are shown in the Heads of Term of the S106 section of this letter).

Other Impacts - Contamination Issues

30. Sufficient information has been submitted within the application to advise that development of the site is acceptable in principle subject to conditions regarding gas monitoring, remediation strategy, remediation verification, unexpected contamination and materials importation being attached to any permission granted.

Other Impacts – Air Quality

31. The proposed development constitutes a medium development for the purpose of Appendix 2 (Land use planning and road transport emission guidance) of the Bradford Low Emission Strategy (adopted November 2013), addendum to the Bradford Air Quality Action Plan (March 2013).

32. Under the provisions of the Bradford LES planning guidance all medium developments are required to:

- Provide Type 1 emission mitigation in the form of electric vehicles charging points.

- Adhere to the London Best Practice Guidance on the Control of Dust and Emissions from Construction and Demolition
- Provide a comprehensive low emission travel plan (which includes measures to discourage the use of high emission vehicles and encourage the use of low emission vehicles)

As such, conditions regarding electrical vehicle charging points, construction environmental management plan and travel plan are suggested to be attached to any permission granted.

Use of planning conditions/Legal Agreements/278 agreements/Contributions

33. Development of housing of the scale proposed inevitably involves physical infrastructure works and social infrastructure works such as recreation provision, contributions towards education expansion facilities and affordable housing. In line with policy UR6 of the Replacement Unitary Development Plan it is usually appropriate that the developer should enter into a Section 106 to address the following issues – affordable housing, recreational provision, transport infrastructure and educational contributions.

34. Members should note however that due to the fact that the applicant is the Local Authority and the units are being delivered under the 2015-18 Affordable Housing Programme a financial viability information has been submitted with regard to how the scheme is delivered as part of the overall BMDC affordable housing provision. As such it is intended in the remainder of this section to review what the S106 contributions would be requested and then consider the financial viability matters which have been raised before concluding what the Heads of Terms could be.

35. The up to date evidence base of the Publication Draft of the Core Strategy advises that up to 20% affordable housing should be achieved in this locality. There is also a need for affordable 2 and 3 bedroom properties in the area. As this scheme is part of a package to provide 188 houses across 6 sites within the District (of which 139 houses will be for affordable rent and 49 will be for general sale) is considered appropriate that the affordable housing is provided within this scheme along with the other 5 schemes to provide an average of 74% affordable housing across the total sites. This is significantly in excess of planning policy requirements for individual sites.

36. Policy OS5 of the RUDP requires that new residential development be required to make appropriate provision of or equivalent commuted payment for recreational open space. The Sport and Leisure Service require a contribution of £105,054 for the provision of recreation open space and playing fields due to the extra demands placed on the locality by this development.

37. In addition because of the habitat regulations a contribution towards mitigating the sensitive habitats on the nearby South Pennine Moors by bring forward the improvements on routes leading to and at the Moors is required to be provided. This will help mitigate the nearby footpaths and those footpaths leading to moorland routes upon which people are undertaking recreational pursuits by ensuring that the erosion of adjacent habitat caused by widening footpaths is suitably addressed.

38. Further development contributions on this scheme also include: -

- a) Educational provision - Under policy CF2 of the Replacement Unitary Development Plan, new housing proposals that would result in an increased

demand for educational facilities that cannot be met by existing schools and colleges should contribute to new and extended school facilities. The nearest schools, at primary level, are full and a contribution of £95,283 towards primary facilities should be provided .

- b) Provision of Real Time Bus display at the nearest bus stop a cost of £10,000

It should be noted that a landscape management plan agreement to ensure that all communal areas of the site are effectively managed is proposed as a condition.

39. Overall, above are the contributions amounts generally required under the Heads of Terms of a S106 legal agreement for a housing scheme such as the one proposed in accordance with policies in the Replacement Unitary Development Plan and the Councils Supplementary Planning Guidance on Planning Obligations. As discussed above however the applicants are the housing service from BMDC and have submitted evidence showing the financial arrangements to deliver the 2015-18 approved affordable housing programme which effectively shows that the above development contributions noted above simply render the scheme unviable as this scheme will provide a greater amount of affordable housing than required by policy and is part of a strategy to delivery 139 affordable properties to rent across the District.

40. Essentially it is acknowledged that this proposal is one of a large project to be delivered under the 2015-2018 Affordable Housing Programme. The land for the development is owned by the local authority and is being put into the scheme at nil value. The financial model shows that borrowing is paid back via rental income from the proposed units and the Council are subsidising the programme from two other sources to make the projects viable from “recycled capital receipts” of 2.6m and from previous commuted sums of 2.23m.

41. The development is being undertaken to meet an ever growing need for social housing in this area of the District. There is no profit to the local authority as developer or a return for the landowner and any further S106 payments (such as recreation or education contributions) will need to be from additional prudential borrowing which will make the scheme undeliverable. The new units will be on a Brownfield site and if the development is delivered promptly the Council will benefit from a new homes bonus which, can be used to offset the reduction in obligations/S106 contributions agreed. As such it is considered that the proposal for limited S106 contributions as outlined below is acceptable.

42. Proposed Obligations under Regulation 3 (as this is a Council owned site) taking into account viability/delivery matters:-

- That the scheme provides affordable housing as part of the 2015-18 Approved Housing Programme of delivering affordable housing across 6 sites in the District that has received HCA (Housing and Communities Agency funding. Note: within the programme there will be 139 houses for rent across the programme and 49 for sale with the sales properties at full market value and at a cross subsidy to the whole programme;
- Payment of a contribution of £10,000 to mitigate impacts on sensitive habitats by bring forward the improvements on routes nearby the application site and leading to and at the SPAs.

Comments on the letters of representation

43. There is opposition to this development from the local community. The issues raised in the letters of representation received have in the main been covered within the relevant sections of the above report .e.g. the principle of development on this school site, the lack of infrastructure to and from and around the site in terms of highways and local school places etc.

44. It is clear from the letters of representation that one of the main concerns of this scheme is how traffic from this development will create drainage/flooding issues. Residents have advised that the field is a bog throughout the winter months, nearby gardens flood after a heavy downpour. Goose Cote is well known for springs – the areas is also known as Bogthorn. These concerns have been considered by the Councils specialist drainage engineers acting as in their capacity as the Lead Local Flood Authority. They have recommended conditions to be attached to any permission granted which should ensure that drainage matters are satisfactorily dealt with and that any development of the site will see betterment of the existing drainage situation.

Community Safety Implications

It is considered that appropriate initial design principles have been established within the application. Furthermore the application provides a commitment to be developed to the principles of Secure by Design: as such it is considered the proposal will accord with the spirit of policy D4 of the Replacement Unitary Development Plan.

Equality Act 2010, Section 149:

Section 149 of the Equality Act 2010 states that the Council must, in the exercise of its functions “have due regard to the need to eliminate conduct that this prohibit by the Act, advancing equality of opportunity between people who share a protected characteristics and people who do not share it, and fostering good relations between people who share a protected characteristic and people who do not share it. For this purpose section 149 defines “relevant protected characteristics” as including a range of characteristics including disability, race and religion. In this particular case it is considered that the above characteristics have been fully considered within the scheme

Reason for Granting Planning Permission

In granting permission for this development the Council has taken into account all material planning considerations including those arising from the comments of many statutory and other consultees, public representations about the application and Government Guidance and policy as detailed in the National Planning Policy Framework, and the content and policies within the Supplementary Planning Guidance and The Development Plan consisting of the Replacement Unitary Development Plan for the Bradford District 2005.

The Council considers that the following matters justify the grant of planning permission:

The development of this parcel of Brownfield land with residential development in the manner proposed is considered an appropriate development of the site that gives the opportunity to provide a sustainable pattern of development within Oakworth located on the major road leading down to the principal town of Keighley. It is considered that the development creates a residential development which provides a suitable mix of housing and which appropriately respects the qualities of the site and character of the surrounding locality and topography. The effect of the proposal on the biodiversity of

the site itself, the surrounding locality and the adjacent neighbouring residential properties has been assessed and is considered acceptable. The provision of an access to the site to Keighley Road is acceptable and will not create any adverse or severe consequent effect on highway safety and the movement of road users.

Overall, it is considered that the provision of a residential scheme as proposed along with the associated new landscaping and the proposed vehicular and pedestrian accesses within the site appropriately builds upon the opportunities of the site to provide a suitable development. As such, it is considered development in the manner proposed is in conformity with the core principles outlined within the National Planning Policy Framework (paragraphs 17, 32, 47, 49, 50, 56, 57, 58, 61, 69) and Replacement Unitary Development Plan policies UDP1, UDP3, UDP7, UR3, UR6, H7, H8, H9, TM2, TM12, TM19A, D1, D2, D4, D5, D6, CF2, OS5, NE3, NE3A, NE4, NE5, NE9, NE10, NE11, NE12, NE13 and NR16.

Conditions of Approval

1. The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: To accord with the requirements of Section 91 of the Town and Country Planning Act, 1990 (as amended).

2. Prior to commencement of the development a Construction Environmental Management Plan (CEMP) for minimising the emission of dust and other emissions from the site operations and associated transport movements should be submitted to, and approved in writing by the Local Planning Authority. The CEMP should be prepared with due regard to the guidance set out in the London Best Practice Guidance on the Control of Dust and Emissions from Construction and Demolition. All works on site shall be undertaken in accordance with the approved CEMP unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect amenity and health of the local population and to accord with policy UR3 of the replacement Unitary Development Plan.

3. Every housing unit with dedicated parking within curtilage shall be provided with an electric vehicle charging point readily accessible from the outside of the property. The electrical circuits shall comply with the Electrical requirements of BS7671: 2008 as well as conform to the IET code of practice on Electric Vehicle Charging Equipment installation 2012 ISBN 978-1-84919-515-7 (PDF). All EV charging points shall be clearly marked as such and their purpose explained to new occupants within their new home welcome pack /travel planning advice.

Reason: To facilitate the uptake of low emission vehicles by future occupants and reduce the emission impact of traffic arising from the development in line with the council's Low Emission Strategy and Paragraph 35 of the National Planning Policy Framework (NPPF).

4. Notwithstanding the details shown within the application, within 6 months of the commencement of development a scheme and programme of landscaping shall be submitted to and approved in writing by the local planning authority. The scheme shall include the size, species and spacing of planting, the areas to be grass covered, and the treatment of hard-surfaced areas. The scheme shall be carried out in accordance

with the approved programme; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.

Reason: To safeguard the visual amenity of the locality and to accord with Policies UR3, D1 and D5 of the Replacement Unitary Development Plan.

5. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority.

Reason: To achieve a satisfactory standard of landscaping in the interests of amenity and to accord with Policies UR3, D1 and D5 of the Replacement Unitary Development Plan.

6. A management plan/maintenance agreement for the long term management/maintenance of communal/public open space areas, including long term design/ecological objectives, management responsibilities and maintenance schedules for all landscape and open areas, shall be submitted to, and approved by the Local Planning Authority prior to the first occupation of any unit. The management plan/maintenance agreement shall be carried out as approved.

Reason: To ensure proper management and maintenance of the landscaped communal areas in the interests of amenity and to accord with Policies UR3, D1 and D5 of the Replacement Unitary Development Plan.

7. The development shall not be begun, nor shall there be any demolition, site preparation, ground works, tree removals, or materials or machinery brought on to the site until Temporary Tree Protective Fencing is erected in accordance with the details submitted on the tree protection plan approved by the Local Planning Authority. The Temporary Tree Protective Fencing shall remain in the location for the duration of the development. No excavations, engineering works, service runs and installations shall take place between the Temporary Tree Protective Fencing and the protected trees for the duration of the development without written consent by the Local Planning Authority.

Reason: To ensure trees are protected during the construction period and in the interests of visual amenity. To safeguard the visual amenity provided by the trees on the site and to accord with Policies NE4, NE5 and NE6 of the Replacement Unitary Development Plan.

8. The development should not begin until full details and calculations of the proposed means of disposal of surface water drainage, based on sustainable drainage principles outlined within the submitted proposed site plan AR 00165(00)01 rev B have been submitted to and approved by the Local Planning Authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface and foul water from the site and to accord with policies UR3 and NR16 of the Replacement Unitary Development Plan.

9. The surface water drainage infrastructure serve in the development shall be managed in strict accordance with the terms and agreements, over the lifetime of the development, as set out in a Surface Water Drainage Maintenance and Management document which shall be submitted to the Local Planning Authority within 3 months of development commencing on site.

Reason: In order to ensure that the development is properly drained for the lifetime of the scheme and to accord with policy UR3 of the Replacement Unitary Development Plan

10. No development shall take place until the site is investigated for its potential for the use of sustainable drainage techniques in disposing of surface water from the development. Consideration should be given to discharge surface water to soak away, infiltration system and watercourse in that priority order. Only in the event of such techniques proving impractical will disposal of surface water to an alternative outlet be considered. In the event of infiltration drainage techniques proving unviable the maximum pass forward flow of surface water from the development shall be restricted to a rate agreed with the Local Planning Authority.

Reason: To prevent flooding by ensuring the satisfactory /disposal of surface and foul water from the site and to accord with policies UR3 and NR16 of the Replacement Unitary Development Plan.

11. No development shall take place until full details and calculations of the proposed means of disposal of foul water drainage have been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure that the development properly disposes of foul water for the lifetime of the scheme and to accord with policy UR3 of the Replacement Unitary Development Plan

12. Prior to development commencing the additional ground gas monitoring and risk assessment in addition to that already submitted must be completed. A written report, including a remedial options appraisal scheme, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the site is remediated appropriately for its intended use and to comply with policy UR3 of the Replacement Unitary Development Plan.

13. Prior to development commencing a detailed remediation strategy, which removes unacceptable risks to all identified receptors from contamination shall be submitted to and approved in writing by the Local Planning Authority. The remediation strategy must include proposals for verification of remedial works. Where necessary, the strategy shall include proposals for phasing of works and verification. The strategy shall be implemented as approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the site is remediated appropriately for its intended use and to comply with policy UR3 of the Replacement Unitary Development Plan.

14. Unless otherwise agreed in writing with the Local Planning Authority, a remediation verification report prepared in accordance with the approved

remediation strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of each phase of the development (if phased) or prior to the completion of the development.

Reason: To ensure that the site is remediated appropriately for its intended use and to comply with policy UR3 of the Replacement Unitary Development Plan.

15. If, during the course of development, contamination not previously identified is found to be present, no further works shall be undertaken in the affected area and the contamination shall be reported to the Local Planning Authority as soon as reasonably practicable (but within a maximum of 5 days from the find). Prior to further works being carried out in the identified area, a further assessment shall be made and appropriate remediation implemented in accordance with a scheme also agreed in writing by the Local Planning Authority.

Reason: To ensure that the site is remediated appropriately for its intended use and to comply with policy UR3 of the Replacement Unitary Development Plan.

16. A methodology for quality control of any material brought to the site for use in filling, level raising, landscaping and garden soils shall be submitted to, and approved in writing by the Local Planning Authority prior to materials being brought to site. Relevant evidence and a quality control verification report shall be submitted to and is subject to the approval in writing by the Local Planning Authority.

Reason: To ensure that all materials brought to the site are acceptable, to ensure that contamination/pollution is not brought into the development site and to comply with policy UR3 of the Replacement Unitary Development Plan.

17. No construction work shall take place outside the following times: 0730 to 1800 hours from Monday to Friday, and 0730 to 1300 on Saturdays. There shall be no construction work at any time on Sundays and bank or public holidays.

Reason: To protect the amenities of the occupants of nearby dwellings and premises and to accord with Policy UR3 of the Replacement Unitary Development Plan.

18. Before any works towards construction of the development commence on site, the proposed means of vehicular and pedestrian access hereby approved shall be laid out hard surfaced, sealed and drained within the site to a base course level in accordance with the approved plan AR/00165/(00)20 Rev A.

Reason: To ensure that a suitable form of access is available to serve the development in the interests of highway safety and to accord with Policy TM19A of the Replacement Unitary Development Plan.

19. Before any part of the development is brought into use, the visibility splays hereby approved on plan as part of the Transport Assessment details shall be laid out and there shall be no obstruction to visibility exceeding 900mm in height within the splays so formed above the road level of the adjacent highway.

Reason: To ensure that visibility is maintained at all times in the interests of highway safety and to accord with policy TM19A of the Replacement Unitary Development Plan.

20. Before any part of the development is brought into use, the proposed means of vehicular and pedestrian access hereby approved shall be laid out, hard surfaced, sealed and drained within the site in accordance with the approved plan and completed to a constructional specification approved in writing by the Local Planning Authority.

Reason: To ensure that a suitable form of access is made available to serve the development in the interests of highway safety and to accord with Policy TM19A of the Replacement Unitary Development Plan.

21. Notwithstanding the provision of Class A, Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, or any subsequent legislation, the development of any phase shall not be begun until a Construction Environmental Management Plan specifying arrangements for the environmental management of the construction site for that phase has been submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include the following details:

- i) contractor's means of access to the site including measures to deal with surface water drainage;
- ii) location of site management offices and/or sales office;
- iii) location of materials storage compounds, loading/unloading areas and areas for construction vehicles to turn within the site;
- iv) car parking areas for construction workers, sales staff and customers;
- v) a wheel cleaning facility or other comparable measures to prevent site vehicles bringing mud, debris or dirt onto a highway adjoining the development site;
- vi) the extent of and surface treatment of all temporary road accesses leading to compound/storage areas and the construction depths of these accesses, their levels and gradients;
- vii) temporary warning and direction signing on the approaches to the site
- ix) site working hours
- x) the advisory routing of construction vehicles over 7.5 tonnes

Reason: In the interests of highway safety and to accord with Policy TM19A of the Replacement Unitary Development Plan

22. The development shall not be occupied prior to implementation of those parts of the approved Travel Plan that are capable of being implemented prior to occupation. Those parts of the approved Travel Plan that are identified therein as only being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as the development is occupied.

Reason: To encourage alternative modes of sustainable transport and build upon existing modes of transport to provide a sustainable development in accordance with paragraphs 17, 29, 32 and 36 of the National Planning Policy Framework and policies UDP7 and UR3 of the Replacement Unitary Development Plan.

23. Notwithstanding the boundary details shown on the submitted plans prior to the first occupation of the development a scheme of measures to take account of Secure by Design principles for phase 1 of the development including the external landscaping areas shall be submitted to and approved in writing by the Local Planning Authority. Thereafter all agreed measures shall be implemented and remain in place whilst ever the use subsists.

Reason: To ensure the site fully accord with policy D4 of the Replacement Unitary Development Plan.

24. Prior to the commencement of construction above foundation level of any part of the built development hereby approved, full details of all external wall and roofing materials to be used in that plot or plots shall be submitted to and approved in writing by the Local Planning Authority. The residential development shall be constructed in accordance with the approved details.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to accord with Policies UR3 and D1 of the Replacement Unitary Development Plan.

Obligations of the scheme

- That the scheme provides affordable housing units as part of the 2015-18 Approved Housing Programme of delivering affordable housing across 6 sites in the District that has received HCA (Housing and Communities Agency funding. Note: within the programme there will be 139 houses for rent across the programme and 49 for sale with the sales properties at full market value and at a cross subsidy to the whole programme;
- Payment of a contribution of £10,000 to mitigate impacts on sensitive habitats by bring forward the improvements on routes leading to and at the SPAs. On these routes, erosion of adjacent habitat caused by widening footpaths is an issue and this can be addressed through a suitable contribution.